

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

BERKLEY ASSURANCE COMPANY,

Plaintiff,

v.

HUNT CONSTRUCTION GROUP, INC.,

Defendant.

Civil Action No. 1:19-cv-11621

**JOINT MOTION TO STAY**

Plaintiff Berkley Assurance Company (“Berkley”) and Defendant Hunt Construction Group, Inc. (“Hunt”) respectfully move for an order staying this litigation. In support of their motion, the parties state as follows.

This is an insurance coverage dispute concerning Berkley’s obligation to defend Hunt against claims by Mount Carmel Health System (“Mount Carmel”), Quandel Construction (“Quandel”), and various subcontractors. While Berkley has denied coverage under the insurance policy at issue in this action, PCAB-5004319-0618 (the “’618 Policy”), Berkley has accepted coverage for certain of these claims, subject to a reservation of rights, under another insurance policy, PCPB-5000001-0915 (the “’915 Policy”).

Berkley acceptance of coverage under the ’915 Policy may moot the parties’ dispute concerning the ’618 Policy. As such, and in the interest of conserving judicial resources, the parties respectfully request that the Court stay this litigation until either party requests that it be reinstated to the Court’s active docket.

Respectfully submitted,

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Plaintiff Hunt Construction Group, Inc.*

The action is stayed until September 30, 2020. By September 25, 2020, the parties shall submit a joint letter providing an update as to the status of the case and Plaintiff's acceptance of insurance coverage. The conference scheduled for August 6, 2020 is adjourned to October 1, 2020 at 10:45 a.m.

SO ORDERED.



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Paul G. Gardephe  
United States District Judge  
July 29, 2020